IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2440 OF 2005

IN

SUIT NO.68 OF 2005

1.Shyamsunder Mahadev Malpani
& another. ...Plaintiffs

vs.

1.Sona Developers & others. ...Defendants

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Mr.D.H.Mehta i/b. T.A.Purohit, for Plaintiffs.

Mr.Palan i/b. M.K.Khatri & Co., for Defendant nos.1 and 2.

Mr.S.H.Sharma, for Defendant nos.3 and 4.

Mr.Chaugule i/b. M.M.Patel & Co., for Defendant no.5.

**CORAM: D.K.DESHMUKH,J.**

**DATED: 16th April,2007**

**P.C.**:-

By consent of parties, the notice of motion is disposed of in the following terms:-

1. The defendant nos. 1 and 2 shall deposit in this Court with due notice to the plaintiff an amount of Rs.3,00,000/- (Rupees Three lakhs only).

2. On the amount being deposited, the Prothonotary and Sr.Master of this Court shall invest that amount in a nationalised bank in fixed deposit to the credit of the suit, during the pendency of the suit. On the amount being deposited, this notice of motion shall stand disposed of.

3. If the defendant nos. 1 and 2 commits default in depositing the amount within the aforesaid period, the notice of motion shall stand granted in terms of prayer clause(a) and (b).

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